

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Gregory Arnel Gurly**

**Docket No. 5:09-CR-372-1BO**

**Petition for Action on Supervised Release**

COMES NOW Keith W. Lawrence, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Gregory Arnel Gurly, who, upon an earlier plea of guilty to Count 1- Assault of a Federal Officer With a Dangerous or Deadly Weapon, in violation of 18 U.S.C. §§ 111(a) and (b) and Count 2- Possession With the Intent to Distribute a Quantity of Cocaine Base (Crack), in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on July 28, 2010, to the custody of the Bureau of Prisons for a term of 72 months. It was further ordered that upon release from imprisonment, the defendant be placed on supervised release for a period of 72 months. On May 2, 2013, pursuant to 18 U.S.C. § 3582(c)(2), the defendant's imprisonment sentence was reduced to 60 months. Gregory Arnel Gurly was released from custody on October 30, 2015, at which time the term of supervised release commenced. On November 4, 2015, the conditions of supervision were modified to include a drug aftercare condition.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On August 18, 2016, the defendant committed the offenses of Breaking and Or Entering, Larceny After Break/Enter, Possession of Stolen Goods/Property (16CR 61384), in Cumberland County, North Carolina. On August 29, 2016, the Fayetteville Police Department obtained an arrest warrant for the defendant. On August 31, 2016, the charges were discovered by our office and the defendant was immediately contacted. On September 1, 2016, Gurly surrendered for service of the warrant and was released on bond. The charges stem from the defendant entering a business during normal business hours, gaining access to an office, and taking a cell phone from the office. When confronted with the charges, the defendant admitted his wrong doing and stated he was stressed with being behind on bills and believed he could sell the cell phone and pay his late bills. Furthermore, when confronted with his conduct, the defendant requested mental health treatment. As a sanction for this conduct and in an effort to deter future criminal conduct, we would respectfully recommend that his supervision be modified to include 90 days of curfew and mental health treatment. The defendant signed a Waiver of Hearing agreeing to the proposed modifications of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 90 consecutive days. The defendant is restricted to residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.
2. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/Eddie J. Smith

Eddie J. Smith  
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Keith W. Lawrence

Keith W. Lawrence  
Senior U.S. Probation Officer  
310 Dick Street  
Fayetteville, NC 28301-5730  
Phone: 910-354-2538  
Executed On: September 14, 2016

#### ORDER OF THE COURT

Considered and ordered this 15 day of September, 2016 and ordered filed and made a part of the records in the above case.

Terrence Boyle  
Terrence W. Boyle  
U.S. District Judge